

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 19 SEPTEMBER 2023, COMMENCING AT 6.00PM**

Present: Crs S Ferguson (Mayor), D Somerville (Deputy Mayor) (via audio visual link), A Ewin, C Gosewisch, J Newstead, and B Reynolds

Acting General Manager (Mr A Franze), Director Infrastructure Services (Mr J Hogan), Director Planning & Environmental Services (Mr A Muir) and Executive Assistant to the General Manager (Mrs L Ferson)

ACKNOWLEDGEMENT OF COUNTRY

REQUEST FOR ATTENDANCE BY AUDIO VISUAL LINK

2309/001 **RESOLVED:**

That Council approves the attendance of Councillor Somerville to the September 2023 Council Meeting by audio visual link.

(Newstead/Reynolds)

CARRIED

RECORDING OF MEETING STATEMENT

APOLOGIES

2309/002 **RESOLVED:**

That the apology, tendered on behalf of Cr Pryse Jones, be accepted.

(Gosewisch/Ewin)

CARRIED

DISCLOSURES OF INTEREST

Nil

CONFIRMATION OF MINUTES

**MINUTES OF THE PREVIOUS EXTRAORDINARY COUNCIL
MEETING HELD 29 AUGUST 2023**

2309/003 **RESOLVED:**

That the Minutes of the Extraordinary Council Meeting held on 29 August 2023, being minute numbers 2308/E001 to 2308/E007 be confirmed.

(Newstead/Ewin)

CARRIED

MATTERS ARISING FROM THE MINUTES

Nil

Cr Reynolds noted an error in the Business Paper Meeting Calendar. Two dates should have read November, not August.

NOTICES OF MOTION

- 2309/004** **NOTICE OF MOTION - BLAYNEY CHRONICLE**
RESOLVED:
That Council:
1. Acknowledge the commitment of Blayney Chronicle journalist Mark Logan on his retirement.
 2. Request Australian Community Media start recruitment for a replacement of Mr Logan as soon as possible.
- (Reynolds/Ferguson)
CARRIED

EXECUTIVE SERVICES REPORTS

The Mayor vacated the Chair and the Acting General Manager as the Returning Officer conducted the election of Mayor and Deputy Mayor.

ELECTION OF MAYOR

The Acting General Manager announced that 1 nomination had been received for the position of Mayor, being Cr Ferguson, nominated by Cr Gosewisch and Cr Newstead.

Cr Ferguson accepted this nomination.

The Acting General Manager declared Cr Ferguson as Mayor.

ELECTION OF DEPUTY MAYOR

The Acting General Manager announced that 1 nomination had been received for the position of Deputy Mayor, being Cr Somerville, nominated by Cr Ferguson and Cr Somerville.

Cr Somerville accepted the nomination.

The Acting General Manager declared Cr Somerville as Deputy Mayor for the forthcoming Mayoral term.

The Mayor resumed the Chair.

- 2309/005** **COUNCIL MEETING DATES**
RESOLVED:
1. That Council adopt the following dates for Ordinary Meetings of Council for the next 12 months, to be held at 6.00pm in the Blayney Shire Community Centre:
 - 17 October 2023
 - 31 October 2023
 - 21 November 2023
 - 19 December 2023
 - 23 January 2024
 - 20 February 2024
 - 19 March 2024

- 16 April 2024
 - 21 May 2024
 - 25 June 2024
 - 23 July 2024
 - 27 August 2024
2. That a Special Meeting, being the first Council meeting after the ordinary election be held at 6.00pm Thursday 3 October 2024 at the Blayney Shire Community Centre.

(Newstead/Ewin)

CARRIED**LGNSW ANNUAL CONFERENCE MOTIONS****2309/006****RESOLVED:**

That Council endorse the following motion for submission to forthcoming LGNSW Annual Conference:

- That LGNSW requires the NSW Government to fully fund the Maintenance and Repair expenditure on trucks and other equipment for all Zones and Districts of the NSW Rural Fire Service through the current grant process and not see Councils have to pick up any shortfalls.

(Reynolds/Gosewisch)

CARRIED**CORPORATE SERVICES REPORTS****REPORT OF COUNCIL INVESTMENTS AS AT 31 AUGUST 2023****2309/007****RESOLVED:**

That Council;

1. Note the report indicating Council's investment position as at 31 August 2023.
2. Note the certification of the Responsible Accounting Officer.

(Newstead/Gosewisch)

CARRIED**QUARTERLY BUDGET REVIEW STATEMENT - JUNE 2023****2309/008****RESOLVED:**

That the Quarterly Budget Review Statement noting actual results to 30 June 2023 be received.

(Reynolds/Ewin)

CARRIED**SIX MONTHLY DELIVERY PLAN REVIEW - JUNE 2023****2309/009****RESOLVED:**

That the six-monthly review, for period ending 30 June 2023, of Council's 2022/23 – 2025/26 Delivery Plan be received.

(Gosewisch/Newstead)

CARRIED

ADOPTION OF MEDIA POLICY

2309/010

RESOLVED:

1. That the Media Policy be endorsed and placed on public exhibition for a period of not less than 28 days; and
2. Should no submissions be received during the public exhibition period the Media Policy be adopted and included in Council's policy register.

(Reynolds/Newstead)

CARRIED**MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 30 AUGUST 2023**

2309/011

RESOLVED:

That Council;

1. Receive the Minutes of the Audit, Risk and Improvement Committee meeting held 30 August 2023.
2. Note the financial impacts of the 2023 Building Revaluation as outlined below and including a forecast increase to depreciation of \$233k per annum:

	30-Jun-22 (\$'000)	30-Jun-23 ¹ (\$'000)	Change 2022 to 2023	
			(\$'000)	%
Number of Assets	413	366	47	(11)
Current Replacement Cost	\$38,529	\$49,528	\$9,233	24
Accumulated Depreciation	\$13,929	\$14,879	\$950	7
Written Down Value	\$24,599	\$34,649	\$8,284	34
Annual Depreciation	\$733	\$995	\$233	32

¹ Includes 2023 additions.

3. Note the financial impacts of the indexation of infrastructure assets for the 2023 financial year That the financial impacts of the 2023 Building Revaluation as outlined below and including a forecast increase to depreciation of \$350k per annum:

1. Asset Class	2023 Pre indexation (\$'000)		Indexation ² applied (\$'000)		2023 Post Indexation (\$'000)	
	CRC	AD	CRC	AD	CRC	AD
Sewer	\$32,771	\$669	\$2,527	\$23	\$35,298	\$691
Parks & Gardens	\$15,717	\$318	\$1,350	\$21	\$17,067	\$339
Transportation	\$305,567	\$4,229	\$25,848	\$297	\$331,415	\$4,526
Total	\$354,055	\$5,216	\$29,725	\$341	\$383,780	\$5,556

²Excludes 2023 additions.

4. Note the Cyber Security Review Findings Retest – Vulnerability Matrix, from Cyber Security NSW, detailing the 7 previously identified recommendations as closed and no further issues identified.
5. Note the Annual Report on the operations of the Blayney Shire Audit, Risk and Improvement Committee for the period 1 July 2022 to 30 June 2023.

(Somerville/Ewin)

CARRIED

MINUTES OF THE DISABILITY INCLUSION WORKING GROUP MEETING HELD 21 AUGUST 2023

2309/012

RESOLVED:

That Council,

1. Receive the minutes of the Disability Inclusion Working Group meeting held 21 August 2023.
2. Undertake a review of the Access Incentive Scheme to determine if it can be modified to achieve a greater uptake of applications.
3. Target disability enterprises within the Central West area and invite them to pre-qualify for Council Goods and Services.
4. Provide further information to enable the opportunity for the Disability Inclusion Working Group to provide input and commentary on the following projects;
 - a) Unwin and Stabback Street urban stormwater project
 - b) Millthorpe Masterplan
 - c) Blayney Masterplan
 - d) Newbridge footpath project
 - e) All Blayney footpath projects

(Reynolds/Gosewisch)

CARRIED

2022-2026 DISABILITY INCLUSION ACTION PLAN ANNUAL REPORT

2309/013

RESOLVED:

That Council note the Blayney Shire 2022 – 2026 Disability Inclusion Action Plan Annual Report for the year ended 30 June 2023.

(Gosewisch/Reynolds)

CARRIED

INFRASTRUCTURE SERVICES REPORTS

INFRASTRUCTURE SERVICES MONTHLY REPORT

2309/014

RESOLVED:

That Council note the Infrastructure Services Monthly Report for September 2023.

(Ewin/Newstead)

CARRIED

**2023/24 ROAD ALLOCATIONS AND CAPITAL WORKS
PRIORITISATION****2309/015****RESOLVED:**

That Council:

1. Note the proposed work locations for the 2023/24 reseal, heavy patching and gravel resheeting programs.
2. Note the 2023/24 Capital works program prioritisation.

(Ewin/Newstead)

CARRIED**PROPOSED ROAD CLOSURE - ERROWANBANG ROAD****2309/016****RESOLVED:**

That Council:

1. Take into consideration all submissions lodged during the notification period.
2. Approve the closure of part of Errowanbang Road, being Lots 3, 5, 12, 14, 15 and 16 in Deposited Plan DP1208480.
3. Delegate to the Mayor and General Manager authority to execute signature and fixing of the Council Seal to facilitate the road closure and land transfer.

(Newstead/Reynolds)

CARRIED**LAND ACQUISITION FOR ROAD REALIGNMENT BETWEEN
860 AND 1150 ERROWANBANG ROAD - DP 1216561****2309/017****RESOLVED:**

That Council approve:

1. The compulsory acquisition of Lots 11, 12 and 14 in DP 1216561 registered 3 February 2016;
2. The making of an application to the Minister for Local Government and the Governor for approval of such compulsory acquisition;
3. Upon acquisition, the land to be classified as “operational land” under Section 31 of the Local Government Act 1993; and
4. Delegation to the Mayor and General Manager to execute and fix Council’s seal on all documentation associated with the compulsory acquisition for Lots 11, 12 and 14 DP 1216561.

(Reynolds/Ewin)

CARRIED**LAND ACQUISITION FOR ROAD REALIGNMENT SOUTHERN
CADIA ACCESS ROUTE - DP1248618****2309/018****RESOLVED:**

That Council approve:

1. The compulsory acquisition of Lot 13 in DP1248618 registered 28 November 2018;
2. The making of an Application to the Minister for Local Government and the Governor for approval of such

- compulsory acquisition; and
3. Upon acquisition, the land to be classified as “operational land” under Section 31 of the Local Government Act (1993); and
 4. Delegation to the Mayor and General Manager to execute and fix Council’s seal on all documentation associated with the compulsory acquisition for Lot 13 DP1248618.
- (Reynolds/Somervaille)
CARRIED

DELEGATES REPORTS

UPPER MACQUARIE COUNTY COUNCIL TRADING AS CENTRAL TABLELANDS WEEDS AUTHORITY DELEGATE REPORT

2309/019

RESOLVED:

That Council receive and note the Upper Macquarie County Council delegate report.

(Reynolds/Ewin)
CARRIED

CANOBOLAS ZONE NSW RURAL FIRE SERVICE BUSH FIRE LIAISON COMMITTEE DELEGATE REPORT

2309/020

RESOLVED:

That Council receive and note the Canobolas Zone NSW Rural Fire Service Bush Fire Liaison Committee delegate report.

(Reynolds/Ewin)
CARRIED

CLOSED MEETING

2309/021

RESOLVED:

That the meeting now be closed to the public in accordance with Section 10A of the Local Government Act, 1993 for consideration of the following matter:

OGILVIE V ROVEST HOLDINGS

This matter is considered to be confidential under Section 10A(2) (g) of the Local Government Act, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

(Gosewisch/Newstead)
CARRIED

CONFIDENTIAL MEETING REPORTS

OGILVIE V ROVEST HOLDINGS

2309/022

RESOLVED:

That Council note the report in relation to Ogilvie v Rovest Holdings Pty Ltd.

(Newstead/Ewin)
CARRIED

2309/023

RESOLVED:

That as consideration of the matters referred to in the closed meeting has been concluded, the meeting now be opened to the public.

(Reynolds/Ewin)
CARRIED

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOME OF RESOLUTION NUMBER 2309/022.

There being no further business, the meeting concluded at 7.27pm.

The Minute Numbers 2309/001 to 2309/023 were confirmed on 17 October 2023 and are a full and accurate record of proceedings of the Ordinary Meeting held on 19 September 2023.



Cr S Ferguson
MAYOR



Mr M Dicker
GENERAL MANAGER